

Regular Session, 2012

HOUSE BILL NO. 1069

BY REPRESENTATIVE TIM BURNS

STATE AGENCIES: Requires state departments and agencies that provide services via a website to provide for user comments and agency responses on the website

1 AN ACT

2 To enact Chapter 21 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 49:1311 through 1315, relative to state departments, offices, and agencies
4 that provide services by means of a website; to require that certain such departments,
5 offices, and agencies include a customer satisfaction survey on the website and
6 provide for website users to submit comments and for the department, office, or
7 agency to respond on the website; to require certain contact information on such
8 websites; to provide for implementation and oversight; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 21 of Title 49 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 49:1311 through 1315, is hereby enacted to read as follows:

13 CHAPTER 21. STATE DEPARTMENT , OFFICE, AND AGENCY WEBSITES

14 §1311. Applicability

15 A. Each state agency, as provided in Paragraph (B)(2) of this Section, that
16 provides services to the public by means of a website that enables a website user to
17 submit information, questions, or comments by means of the website to the state
18 agency shall comply with the provisions of this Chapter.

1 B. For purposes of this Chapter:

2 (1) "Provides services" means issues or provides credentials, licenses,
3 insignia, forms to be completed and submitted to the agency, or other items or
4 products otherwise provided to agency clients in the course of agency business;
5 receives applications, filings, or submissions; or receives and responds to questions
6 submitted by individuals to the agency.

7 (2) "State agency" means each of the following:

8 (a) Department of Agriculture and Forestry.

9 (b) Department of Children and Family Services.

10 (c) Department of Environmental Quality.

11 (d) Department of Transportation and Development.

12 (e) Department of Health and Hospitals.

13 (f) Vital records registry and state registrar of vital records.

14 (g) Louisiana Workforce Commission.

15 (h) Office of motor vehicles.

16 (i) Office of state police.

17 (j) Department of State.

18 (k) Department of Revenue.

19 (l) Department of Wildlife and Fisheries.

20 (m) Louisiana State Employees' Retirement System.

21 (n) Teachers' Retirement System of Louisiana.

22 (o) School Employees' Retirement System.

23 (p) State Police Pension and Retirement System.

24 (q) Office of State Group Benefits.

25 (r) Office of Elderly Affairs.

26 (s) Office of community development.

27 (t) Office of Student Financial Assistance.

28 (u) Office of Financial Institutions.

29 (v) Louisiana Board of Ethics.

1 §1312. State agency websites used for agency services; requirements

2 Each state agency to which this Chapter is applicable as provided in R.S.
3 49:1311 shall provide the following on the website through which it provides
4 services:

5 (1) The ability for a website user to submit to the state agency and post on
6 the website a rating of the service the website user received from the state agency
7 and comments on such service.

8 (2) The ability for the state agency to submit and post on the website
9 responses to comments on the service received submitted by website users.

10 (3) Contact information, including the name of one or more persons at the
11 respective state agency; a mailing address; an e-mail address; a website address; and
12 a phone number.

13 §1313. Implementation; rules and regulations

14 The commissioner of administration shall take appropriate action to provide
15 for implementation of this Chapter and may adopt rules and regulations in
16 accordance with the Administrative Procedure Act necessary for such
17 implementation.

18 §1314. Legislative auditor; compliance

19 The legislative auditor shall work with the commissioner of administration
20 to ensure that each state agency complies with the provisions of this Chapter.

21 §1315. Implementation

22 For any service that is being offered via an agency website prior to January
23 1, 2013, the requirements of this Chapter become applicable on January 1, 2013. For
24 an agency website that becomes operational and for a service that is added to an
25 agency website on or after January 1, 2013, the requirements of this Chapter become
26 applicable at the time a service is offered via the website.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Tim Burns

HB No. 1069

Abstract: Requires the following for certain state departments that provide services to the public through a website that enables a website user to submit information, questions, or comments to provide on the website: ability for users to submit and post on the website a rating of the service received and comments on such service; the ability for the department, office, or agency to submit and post responses to such comments; and contact information.

Proposed law requires the state agencies provided for below that provide services to the public through a website that enables a website user to submit information, questions, or comments to the agency via the website to provide for certain content on the website as follows:

- (1) Provides that "state agency" means the following:
 - (a) Department of Agriculture and Forestry.
 - (b) Department of Children and Family Services.
 - (c) Department of Environmental Quality.
 - (d) Department of Transportation and Development.
 - (e) Department of Health and Hospitals.
 - (f) Vital records registry and state registrar of vital records.
 - (g) Louisiana Workforce Commission.
 - (h) Office of motor vehicles.
 - (i) Office of state police.
 - (j) Department of State.
 - (k) Department of Revenue.
 - (l) Department of Wildlife and Fisheries.
 - (m) Louisiana State Employees' Retirement System.
 - (n) Teachers' Retirement System of Louisiana.
 - (o) School Employees' Retirement System.
 - (p) State Police Pension and Retirement System.
 - (q) Office of State Group Benefits.
 - (r) Office of Elderly Affairs.
 - (s) Office of community development.
 - (t) Office of Student Financial Assistance.
 - (u) Office of Financial Institutions.
 - (v) Louisiana Board of Ethics.

Further provides that "provides services" means issues or provides credentials, licenses, insignia, forms to be completed and submitted to the agency, or other items or products otherwise provided to agency clients in the course of agency business; or receives applications, filings, or submissions; or receives and responds to questions submitted by individuals to the agency.

- (2) Requires each state agency to which proposed law is applicable as provided above to provide the following on the website through which it provides services by not later than Jan. 1, 2013:

- (a) The ability for a website user to submit to the agency and post on the website a rating of and comments on the service the website user received from the agency.
 - (b) The ability for the agency to submit and post on the website responses to comments on the service received submitted by website users.
 - (c) Contact information, including the name of one or more agency contacts; a mailing address; an e-mail address; a website address; and a phone number.
- (3) Requires the commissioner of administration to take appropriate action to provide for implementation of proposed law and authorizes him to adopt rules and regulations in accordance with the Administrative Procedure Act necessary therefor.
- (4) Requires the legislative auditor to work with the commissioner of administration to ensure that each state agency complies with proposed law.
- (5) Requires implementation by Jan. 1, 2013, if the website is in operation and the service offered on Jan. 1, 2013. Otherwise requires implementation at the time the service is offered via a website.

(Adds R.S. 49:1311-1315)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

- 1. Defined certain departments to which proposed law will apply.
- 2. Deleted requirement that a department provide a customer satisfaction survey on the website.